

SEP 29 2009

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

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|-----------------------------------|---|-------------------------------------|
| KENNETH EDWARD BARBOUR, |) | Civil Action No. 7:09-cv-00393 |
| Plaintiff, |) | |
| |) | |
| v. |) | <u>ORDER</u> |
| |) | |
| C/O W.A. COLLINS, <u>et al.</u> , |) | By: Hon. James C. Turk |
| Defendants. |) | Senior United States District Judge |

In accordance with the memorandum opinion entered this day, it is hereby

ORDERED

that plaintiff's complaint is **DISMISSED without prejudice** and **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to plaintiff.

ENTER: This 29th day of September, 2009.

[Signature: James C. Turk]

Senior United States District Judge